

CITY OF PASADENA  
City Council Minutes  
October 18, 2004 - 5:30 P.M.  
Pasadena Senior Center, Multi-purpose Room  
85 East Holly Street

REGULAR MEETING

**OPENING:**

Vice Mayor Tyler called the regular meeting of the City Council to order at 6:00 p.m. (Absent: Mayor Bogaard )

On order of the Vice Mayor, the regular meeting of the City Council recessed at 6:00 p.m., to discuss the following closed sessions:

**CITY COUNCIL CONFERENCE REGARDING PUBLIC EMPLOYEE PERFORMANCE EVALUATION pursuant to Government Code 54957**  
Title: City Attorney

**CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION pursuant to Government Code Section 54956.9(a)**  
Case Name: Under Seal v. Under Seal; Los Angeles County Superior Court No. BC272529

The above closed session items were discussed, with no reportable action at this time.

On order of the Vice Mayor, the regular meeting of the City Council reconvened at 6:48 p.m. The Pledge of Allegiance was led by Councilmember Madison.

**ROLL CALL:**

Councilmembers:

Mayor Bill Bogaard (Absent)  
Vice Mayor Sidney F. Tyler, Jr.  
Councilmember Victor Gordo  
Councilmember Steve Haderlein  
Councilmember Chris Holden  
Councilmember Paul Little  
Councilmember Steve Madison  
Councilmember Joyce Streater

Staff:

City Manager Cynthia J. Kurtz  
City Attorney Michele Beal Bagneris  
City Clerk Jane L. Rodriguez

## **CEREMONIAL MATTERS**

The City Clerk administered the oath of office to Michael Hurley, as Santa Monica Mountains Conservancy Advisory Committee member, and to Todd Iacona as Pasadena Center Operating Company member.

Vice Mayor Tyler presented a proclamation declaring October 17 - 24, 2004, as National Health Education Week. The proclamation was accepted by Mary Urtecho-Garcia, Program Coordinator for the Nutrition and Physical Activity Project of the Pasadena Health Department.

Vice Mayor Tyler presented a proclamation declaring October 22, 2004 as Public Power Day in Pasadena. Mr. Erick Klinkner, Assistant General Manager of Water and Power, accepted the proclamation.

Vice Mayor Tyler introduced Margie Martinez, Executive Director of CHAP, and Max Esquivel, Board Chairman of CHAP, and recognized CHAP for the receipt of a \$650,000 Federal Grant from the U.S. Department of Health and Human Services.

Ms. Martinez and Mr. Esquivel briefly spoke on what the grant monies would be used for, spoke re CHAP, and thanked the City Manager and the City Council for their support.

Mr. John Kennedy, CHAP Board Member, also thanked the City Council for their support and briefly spoke on future fundraising efforts.

## **PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA**

Mr. Robert Eastgate, Pasadena resident, indicated he is a tenant at an apartment building which is being converted to a condominium and expressed concern that appropriate notices and services were not provided. He indicated City staff did assist him with part of this issue, and questioned how tenants could receive the rest of what is owed to them.

The City Manager suggested Mr. Eastgate contact her office to ensure that he is getting all the information needed to make a determination if he has received everything from the landlord that should have been provided.

Following a brief discussion, Councilmember Gordo expressed interest in looking at the Tenant Protection Ordinance to see where it is anticipated that the City would have some sort of action, whether it is administrative, an action of the City Council, or a Commission action, and where there is no City involvement, the need for the City to be aware of those situations.

The City Manager indicated she would look at the circumstances to get a better understanding for what other places the process may allow the City to intervene.

Mr. Philip Koebel, Pasadena resident, announced his candidacy for U.S. Congress, and addressed the issues of affordable housing, repeal of the Patriot Act, equal schools for children, and announced a petition effort to put on the March ballot the Community Diversity Protection Initiative.

Mr. Marc Jones, Pasadena Neighborhood Housing Services, distributed a handout and described services provided by the Neighborhood Impact Program.

**CONSENT CALENDAR**

**APPROVAL AND ACCEPTANCE OF AN EASEMENT DEDICATION FOR PUBLIC STREET PURPOSES AT THE SOUTHWEST CORNER OF COLORADO BOULEVARD AND CATALINA AVENUE**

**Recommendation of City Manager:** Adopt a resolution approving and accepting a proposed easement dedication for public street purposes at the southwest corner of Colorado Boulevard and Catalina Avenue. Resolution No. 8402

Item discussed separately at the request of Councilmember Haderlein.

**REJECTION OF BID - INSTALLATION OF TRAFFIC SIGNALS AT ORANGE GROVE BOULEVARD AND GARFIELD AVENUE**

Item discussed separately at the request of Councilmember Little

**CONTRACT AWARD TO RUSSELL WARNER INC. DBA ADVANCED SEWER TECHNOLOGIES FOR SEWER INSPECTION PHASE II FOR AN AMOUNT NOT TO EXCEED \$210,000**

**AUTHORIZATION TO ENTER INTO CONTRACTS WITH POUK AND STEINLE AND PAR ELECTRICAL CONTRACTOR FOR INSTALLING OVERHEAD, UNDERGROUND AND SUBSTATION EQUIPMENT FOR THE WATER AND POWER DEPARTMENT**

**Recommendation of City Manager:**

(1) Accept the bid dated September 24, 2004, submitted by Pouk and Steinle in response to Specifications LD-04-7 for installing overhead and underground equipment for the Water and Power Department;

(2) Accept the bid dated September 24, 2004, submitted by PAR Electrical Contractor in response to Specifications LD-04-7 for installing substation equipment for the Water and Power Department;

(3) Reject all other bids;

(4) Authorize the issuance of a contract to Pouk and Steinle for a period of three years or until \$4,800,000 is expended, whichever occurs first, with two additional one-year extensions, each not to exceed \$1,600,000 per year.

(5) Authorize the issuance of a Contract to PAR Electrical Contractor for a period of three years or until \$1,245,000 is expended, whichever occurs first, with two additional one-year extensions, each not to exceed \$415,000 per year. (Contract Nos. 18,663 & 18,664)

**CITY OF PASADENA LEASE OF MEDICAL LABORATORY SPACE TO UNILAB NOW PART OF QUEST DIAGNOSTICS AT THE PASADENA COMMUNITY HEALTH CENTER, 1845 N. FAIR OAKS AVENUE**

**Recommendation of City Manager:**

(1) Approve a three-year lease with a three-year option to extend to Unilab now a part of Quest Diagnostics for medical laboratory space at the Pasadena Health Center,

(2) Authorize the City Manager to execute the lease and all other documents pertaining thereto and to perform such other and further acts as required under the lease. (Contract No. 18,665)

**Recommendation of the Northwest Commission:** Staff presented this item to the Northwest Commission at its October 12, 2004 meeting. The Northwest Commission recommended that the City Council approve the proposed lease to Unilab.

The City Manager noted a correction to the agenda report, and indicated the last sentence of the Fiscal Impact which reads "Part of this revenue will be used to pay debt service on the bonds that were used to rehabilitate the entire health center complex." should be stricken.

**AGREEMENT WITH THE CITY OF LOS ANGELES OFFICE OF REGULATORY SERVICES, DEPARTMENT OF TRAFFIC MANAGEMENT FOR SUPPLEMENTAL TRAFFIC CONTROL PERSONNEL**

**Recommendation of City Manager:**

(1) Authorize the City Manager to enter into a contract with the City of Los Angeles, which would authorize the Office of Regulatory Services, Department of Traffic Management to provide supplemental traffic management services to the City of Pasadena for New Year's activities for 2004-2005 at a cost not to exceed \$100,000. The proposed contract is exempt from competitive bidding pursuant to City Charter Section 1002 (H), contracts with government entities or their contractors.

(2) Authorize the City Manager to extend this contract for two additional years based on good performance at a cost not to exceed \$100,000 per year. (Contract No. 18,666)

Item discussed separately at the request of Councilmember Little

**ADOPTION OF A RESOLUTION TO ALLOW FOR A PRE-TAX PAYROLL DEDUCTION PLAN FOR CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM SERVICE CREDIT PURCHASES**

**APPROVAL OF MINUTES**

September 13, 2004  
September 20, 2004

**CLAIMS RECEIVED AND FILED**

Claim No. 9671 Daniel Ernest Vargas Jr.	\$ 5,350.00
Claim No. 9673 Jan Bryce	132.42
Claim No. 9674 James R. Moore	40.00
Claim No. 9675 Gregory Humphries	194.84

Claim No. 9676 Tony Ibarra	25,000.00+
Claim No. 9677 Edgar Richard Tirado	384.94
Claim No. 9678 Nettie Coleman	Not stated
Claim No. 9679 Joannette Melinda Rivas	Not stated

It was moved by Councilmember Little, seconded by Councilmember Haderlein, to approve the Consent Calendar with the exception of Item 2 (Rejection of Bid - Installation of Traffic Signals at Orange Grove Blvd and Garfield Ave), Item 3 (Contract Award to Russell Warner Inc. DBA Advanced Sewer Technologies for Sewer Inspection Phase II) and Item 7 (Resolution to Allow Pre-Tax Payroll Deduction Plan for CalPERS Service Credit Purchases), which were discussed separately. (Motion unanimously carried) (Absent: Mayor Bogaard)

**CONSENT ITEMS  
DISCUSSED SEPARATELY**

**REJECTION OF BID - INSTALLATION OF TRAFFIC SIGNALS AT ORANGE GROVE BOULEVARD AND GARFIELD AVENUE**

**Recommendation of City Manager:** Reject the sole bid received on September 29, 2004, in response to the Specifications for the Installation of Traffic Signals at Orange Grove Boulevard and Garfield Avenue and authorize the City Manager to call for new bids.

The City Manager and Mr. Dan Rix, City Engineer, responded to questions.

It was moved by Councilmember Gordo, seconded by Councilmember Little, to approve the City Manager's recommendation. (Motion unanimously carried) (Absent: Mayor Bogaard)

**CONTRACT AWARD TO RUSSELL WARNER INC. DBA ADVANCED SEWER TECHNOLOGIES FOR SEWER INSPECTION PHASE II FOR AN AMOUNT NOT TO EXCEED \$210,000**

**Recommendation of City Manager:** Accept the bid dated October 6, 2004, submitted by Russell Warner Inc. dba Advanced Sewer Technologies in response to the Specifications for Sewer Inspection Phase II, reject all other bids received and authorize the City Manager to enter into a contract not to exceed \$210,000, which includes the base bid of \$70,943.89 and \$139,056.11 for any additional work the City may order pursuant to the project specifications. (Contract No. 18,667)

Mr. Dan Rix, City Engineer, and Mr. Martin Pastucha, Director of Public Works, responded to questions.

It was moved by Councilmember Little, seconded by Councilmember Gordo, to approve the City Manager's recommendation. (Motion unanimously carried) (Absent: Mayor Bogaard)

**ADOPTION OF A RESOLUTION TO ALLOW FOR A PRE-TAX PAYROLL DEDUCTION PLAN FOR CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM SERVICE CREDIT PURCHASES**

**Recommendation of City Manager:** Adopt a resolution to allow for pre-tax payroll deductions for the purchase of service credit for employees who are members of the California Public Employees' Retirement System (CalPERS). (Resolution No. 8403)

Councilmember Madison was excused at 7:28 p.m.

Ms. Karen Ezell, Human Resources Director, responded to questions.

It was moved by Councilmember Little, seconded by Councilmember Streater, to approve the City Manager's recommendation. (Motion unanimously carried) (Absent: Councilmember Madison, Mayor Bogaard)

**REPORTS AND COMMENTS FROM COUNCIL COMMITTEES**  
**REPORTS FROM REPRESENTATIVES**

Councilmember Holden reported that in the next two weeks Council should be receiving a copy of a development agreement that the City of Burbank and the Airport Authority will be reviewing and hopefully executing, which addresses a number of outstanding issues.

**RECESS**

On order of the Vice Mayor, the regular meeting of the City Council recessed at 7:30 p.m. to the regular meeting of the Community Development Commission.

**RECONVENED**

On order of the Vice Mayor, the regular meeting of the City Council reconvened at 7:31 p.m. (Absent: Councilmember Madison, Mayor Bogaard)

**INFORMATION ITEM**

**JOINT CITY/PASADENA UNIFIED SCHOOL DISTRICT ORAL PRESENTATION ON THE PERMITTING OF FIELDS**

Ms. Patsy Lane, Human Services & Recreation Director, provided an update on the joint scheduling process and noted both the City and the School District now have the same software system, and responded to questions.

Mr. Albert Gomez, Management Analyst, briefly described the City's permit process and responded to questions.

Councilmember Haderlein referred to the issue of local teams not having access to fields and outside groups coming in and using School District and City fields, and questioned whether the new process would address this issue.

Mr. Luis Reynoso, Pasadena Unified School District Accounting Manager, responded to questions regarding the School District's permit process.

Councilmember Gordo indicated he would like to know school by school, who is using a field at any particular time and indicated as the School District and City move forward with the new process, he would like that level of specificity.

Councilmember Gordo noted schools present the greatest opportunity to create more green space and stated he sees no reason why some of our schools shouldn't have green space instead of black tops. He indicated he would like staff to start thinking in that direction and the School District to start identifying barriers, and stressed the need to work jointly to address those barriers.

### **PUBLIC HEARING**

Councilmember Madison  
returned at 8:00 p.m.

Councilmember Haderlein  
was excused at 8:15 p.m.

### **PUBLIC HEARING: PUBLIC COMMENT ON THE CITY OF PASADENA'S CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER) JULY 1, 2003 - JUNE 30, 2004 FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG); HOME INVESTMENT PARTNERSHIP ACT (HOME); EMERGENCY SHELTER GRANT (ESG); THE HUMAN SERVICES ENDOWMENT FUND (HSEF); AND APPROVAL OF THE NEEDS ASSESSMENTS/ PROGRAM PRIORITIES FOR THE NON-PUBLIC SERVICE PROJECTS UNDER THE CDBG PROGRAM 2005-2006 PROGRAM YEAR**

#### **Recommendation of City Manager:**

- (1) Receive public comment on the City of Pasadena Draft Consolidated Annual Performance and Evaluation Report (CAPER) 2003-2004; receive the Project Performance Assessment Report reviewing CDBG/ESG/HSEF and HOME funded projects; and
- (2) Accept and approve the Needs Assessment and Program Priorities for Non-Public Services under the Community Development Block Grant (CDBG) Program for 2005-2006.

#### **Recommendation of Northwest Commission:** (Non-Public Service Program Priorities)

On Tuesday, September 14, 2004, the Northwest Commission recommended approval of the Non-Public Service program priorities for the CDBG Program (2005-2006) as set forth in the agenda report.

#### **Recommendation of Human Services Commission and Northwest Commission:** (Project Performance Assessment)

Both Commissions have received the Project Performance Review Reports as information items at their respective meetings.

Vice Mayor Tyler opened the public hearing.

The City Clerk reported the notice of public hearing was published in the Pasadena Star News on October 4, 2004. No correspondence was received.

Ms. Eunice Gray, Project Planner, summarized the report.

Ms. Judy Altman and Ms. Gina Rodriguez, representing YWCA Pasadena-Foothill Valley, spoke in support of two programs,

"icouldbe.org", a teen mentoring program via the Internet, and "Baby Think It Over", a teen pregnancy prevention program.

It was moved by Councilmember Holden, seconded by Councilmember Streator, to close the public hearing. (Motion unanimously carried) (Absent: Councilmember Haderlein, Mayor Bogaard)

It was moved by Councilmember Holden, seconded by Councilmember Little, to approve the City Manager's recommendation. (Motion unanimously carried) (Absent: Councilmember Haderlein, Mayor Bogaard)

### COUNCIL COMMENTS

Councilmember Holden requested agendizing in the next couple of weeks a discussion on a potential park bond ballot measure, and requested that staff provide information as to ballot measures of this type in other communities to look at in terms of framework, and that the Finance Department provide cost information.

Councilmember Haderlein indicated it would be helpful to know the timeline for the Park Master Plan.

Councilmember Madison announced that this morning he had attended a dedication of a new fire engine at Fire Station 31. He also recognized Roberta Martinez and all those individuals involved in putting together the Latino History Parade on Saturday.

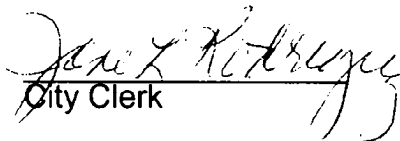
### ADJOURNMENT

On order of the Vice Mayor, the regular meeting of the City Council adjourned at 8:30 p.m.



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Bill Bogaard, Mayor  
City of Pasadena

ATTEST:



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Janice Kitzberger  
City Clerk